

Ryan J. Lorenz, #8165
CLARK HILL PLC
14850 North Scottsdale Road, Suite 500
Scottsdale, Arizona 85254
Telephone: (480) 684-1100
Facsimile: (480) 684-1199
Email: rlorenz@clarkhill.com

Andre Lagomarsino, #6711
PARKER SCHEER LAGOMARSINO
610 South 7th Street
Las Vegas, Nevada 89101
Telephone: (702) 383-2864
Facsimile: (702) 383-0065
Email: andre@parkerscheer.com

Attorneys for Plaintiff Federal Home Loan Mortgage Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEDERAL HOME LOAN MORTGAGE
CORPORATION,

Plaintiff,

v.

LANTANA-FOUNTAINS, LLC, an
Oregon limited liability company; et al.;

Defendants.

Case No. 2:10-cv-01303-PMP-GWF

ORDER DISCHARGING RECEIVER

This matter came before the court on the motion to discharge receiver (doc. 30) filed by Plaintiff Federal Home Loan Mortgage Corporation ("Freddie Mac"). Good cause appearing, IT IS ORDERED:

1. Granting Freddie Mac's motion discharging GREP Southwest, LLC dba Greystar, the Court-appointed receiver ("Receiver").

2. Confirming Freddie Mac's right of possession of the property located at 6501 West Charleston Boulevard and 1200 S. Torrey Pines Drive, Las Vegas, Nevada, legally described as follows:

PARCEL I:

GOVERNMENT LOT SEVEN (7) OF SECTION 2,
TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B. & M.

EXCEPTING THEREFROM THE INTEREST IN AND TO
THE NORTH FIFTY (50.00) FEET AS CONVEYED TO
COUNTY OF CLARK FOR ROAD PURPOSES BY DEED
RECORDED NOVEMBER 25, 1974 IN BOOK 476 AS
DOCUMENT NO. 435894, CLARK COUNTY, NEVADA
RECORDS.

PARCEL II:

GOVERNMENT LOT SEVENTEEN (17) OF SECTION 2,
TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B. & M.

EXCEPTING THEREFROM THE WEST THIRTY (30.00)
FEET; TOGETHER WITH A SPANDREL AREA IN THE
NORTHEAST CORNER OF THE INTERSECTION OF
REDWOOD STREET AND DEL REY AVENUE,
BOUNDED AS FOLLOWS:

ON THE WEST BY THE EAST LINE OF THE WEST
THIRTY (30.00) FEET THEREOF;
ON THE SOUTH BY THE NORTH LINE OF THE SOUTH
THIRTY (30.00) FEET THEREOF;
AND ON THE NORTHEAST BY THE ARC OF A CURVE
CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF
FIFTEEN (15.00) FEET AND BEING TANGENT TO THE
EAST LINE OF SAID WEST THIRTY (30.00) FEET, AS
CONVEYED TO THE COUNTY OF CLARK FOR ROAD
PURPOSES BY DEED RECORDED JULY 10, 1979 IN
BOOK 1083 AS DOCUMENT NO. 1042992 OF OFFICIAL
RECORDS.

PARCEL III:

1 GOVERNMENT LOT EIGHTEEN (18) OF SECTION 2,
2 TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B. & M.

3 EXCEPTING THEREFROM THE SOUTH THIRTY (30.00)
4 FEET AS CONVEYED TO THE COUNTY OF CLARK
5 FOR ROAD PURPOSES BY DEED RECORDED JULY 10,
6 1979 IN BOOK 1083 AS DOCUMENT NO. 1042992 OF
7 OFFICIAL RECORDS.

8 PARCEL IV:

9 A NON-EXCLUSIVE DRAINAGE EASEMENT AS SET
10 FORTH IN THAT CERTAIN "DECLARATION OF
11 DRAINAGE EASEMENT" RECORDED FEBRUARY 9,
12 2000, IN BOOK 20000209 AS DOCUMENT NO. 01167, IN
13 THE OFFICE OF THE COUNTY RECORDER OF CLARK
14 COUNTY, NEVADA, AS APPURTENANT TO PARCELS
15 I-A, I-B AND I-C HEREINABOVE.

16 PARCELS I, II, AND III ARE MORE PARTICULARLY
17 DESCRIBED AS FOLLOWS:

18 BEGINNING AT THE SOUTHWEST CORNER OF
19 GOVERNMENT LOT SEVENTEEN (17) IN SECTION 2,
20 TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B. & M.,
21 SAID POINT BEING THE CENTERLINE INTERSECTION
22 OF DEL RAY AVENUE AND REDWOOD STREET;
23 THENCE ALONG THE CENTERLINE OF DEL RAY
24 AVENUE, NORTH $88^{\circ}53'55''$ EAST 659.13 FEET;
25 THENCE NORTH $03000'21''$ WEST 30.02 FEET TO A
26 POINT ON THE NORTHERLY RIGHT OF WAY LINE OF
27 DEL RAY AVENUE, SAID POINT BEING THE TRUE
28 POINT OF BEGINNING;
THENCE ALONG SAID NORTHERLY RIGHT OF WAY
LINE, SOUTH $88^{\circ}53'55''$ WEST 614.52 FEET TO THE
BEGINNING OF A TANGENT CURVE CONCAVE
NORTHEASTERLY AND HAVING A RADIUS OF 15.00
FEET;
THENCE WESTERLY, NORTHWESTERLY AND
NORTHERLY ALONG SAID CURVE THROUGH A
CENTRAL ANGLE OF $88^{\circ}12'27''$ AN ARC DISTANCE
OF 23.09 FEET TO A POINT ON THE EASTERLY RIGHT
OF WAY LINE OF REDWOOD STREET;

1 THENCE ALONG SAID EASTERLY RIGHT OF WAY
 2 LINE, NORTH 02°53'38" WEST 637.10 FEET;
 3 THENCE LEAVING SAID EASTERLY RIGHT OF WAY
 4 LINE, NORTH 88°47'27" EAST 298.87 FEET;
 5 THENCE NORTH 02°56'59" WEST 624.26 FEET TO A
 6 POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF
 7 CHARLESTON BOULEVARD;
 8 THENCE ALONG SAID SOUTHERLY RIGHT OF WAY
 9 LINE, NORTH 89°29'19" EAST 328.41 FEET;
 10 THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY
 11 LINE, SOUTH 03°00'21" EAST 1,273.14 FEET TO THE
 12 POINT OF BEGINNING.
 13 (APN 163-02-104-004)

14 ("Charleston Parcels"); and:

15 PARCEL I:

16 GOVERNMENT LOT NINETEEN (19) IN SECTION 2,
 17 TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B. & M.

18 EXCEPTING THEREFROM THAT PORTION AS
 19 CONVEYED TO CLARK COUNTY BY DEED
 20 RECORDED JULY 10, 1979, IN BOOK 1083 AS
 21 DOCUMENT NO. 104992 OF OFFICIAL RECORDS.

22 PARCEL II:

23 GOVERNMENT LOT TWENTY (20) IN SECTION 2,
 24 TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B. & M.

25 EXCEPTING THEREFROM:

26 THE INTEREST IN AND TO THE NORTH 30.00 FEET
 27 AND EAST 40.00 FEET AND THE SOUTH THIRTY FEET
 28 TOGETHER WITH THAT SPANDREL AREA
 DESCRIBED BELOW AS CONVEYED TO THE COUNTY
 OF CLARK FOR ROAD PURPOSES BY DEED
 RECORDED JULY 7, 1977 IN BOOK 760 AS DOCUMENT
 NO. 719160 AND RE-RECORDED AUGUST 3, 1977 IN
 BOOK 771 AS DOCUMENT NO. 730573 OF OFFICIAL
 RECORDS.

EXCEPTING THEREFROM A SPANDREL AREA IN THE
 NORTHEAST CORNER THEREOF, BEING THE

1 SOUTHWEST CORNER INTERSECTION OF HOLMBY
2 AVENUE AND TORREY PINES DRIVE, BOUNDED AS
3 FOLLOWS:

4 ON THE NORTH SIDE OF THE SOUTH LINE OF THE
5 NORTH 30.00 FEET, ON THE EAST SIDE BY THE WEST
6 LINE OF THE EAST 40.00 FEET AND ON THE
7 SOUTHWESTERLY SIDE BY THE ARC OF A CURVE
8 CONCAVE TO THE SOUTHWEST HAVING A RADIUS
9 OF 20.00 FEET, THAT IS TANGENT TO THE SOUTH
10 LINE OF SAID NORTH 30.00 FEET AND TANGENT TO
11 THE WEST LINE OF SAID EAST 40.00 FEET;

12 ALSO TOGETHER WITH A SPANDREL AREA IN THE
13 SOUTHEAST CORNER THEREOF BEING THE
14 NORTHWEST CORNER OF THE INTERSECTION OF
15 TORREY PINES DRIVE AND DEL RAY AVENUE,
16 BOUNDED AS FOLLOWS:

17 ON THE EAST SIDE BY THE WEST LINE OF THE EAST
18 40.00 FEET, ON THE SOUTH SIDE BY THE NORTH
19 LINE OF THE SOUTH 30.00 FEET AND ON THE
20 NORTHEASTERLY SIDE BY THE ARC OF A CURVE
21 CONCAVE TO THE NORTHEAST HAVING A RADIUS
22 OF 20.00 FEET THAT IS TANGENT TO THE WEST LINE
23 OF SAID EAST 40.00 FEET AND TANGENT TO THE
24 NORTH LINE OF SAID SOUTH 30.00 FEET.

25 PARCELS I AND II ARE MORE PARTICULARLY
26 DESCRIBED AS FOLLOWS:

27 BEGINNING AT THE NORTHWEST CORNER OF
28 GOVERNMENT LOT NINETEEN (19) IN SECTION 2,
TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B. & M.;

THENCE NORTH $88^{\circ}47'27''$ EAST 617.72 TO A POINT
ON THE WESTERLY RIGHT OF WAY LINE OF
TORREY PINES DRIVE;

THENCE ALONG SAID WESTERLY RIGHT OF WAY
LINE, SOUTH $03^{\circ}07'08''$ EAST 633.35 FEET TO THE
BEGINNING OF A TANGENT CURVE CONCAVE
NORTHWESTERLY AND HAVING A RADIUS OF 20.00
FEET;

1 THENCE SOUTHERLY, SOUTHWESTERLY AND
2 WESTERLY ALONG SAID CURVE THROUGH A
3 CENTRAL ANGLE OF 92°01'03" AN ARC DISTANCE
4 OF 32.12 FEET TO A POINT ON THE NORTHERLY
5 RIGHT OF WAY LINE OF DEL RAY AVENUE;

6 THENCE ALONG SAID NORTHERLY RIGHT OF WAY
7 LINE, SOUTH 88°53'55" WEST 598.33 FEET;

8 THENCE LEAVING SAID NORTHERLY RIGHT OF
9 WAY LINE, NORTH 30°00'21" WEST 652.86 FEET TO
10 THE POINT OF BEGINNING.
11 (APN 163-02-104-007)

12 ("Torrey Pines Parcels").¹

13 3. Directing the Receiver to tender possession of all property, real and
14 personal, presently in the Receiver's possession or which the Receiver is entitled to
15 possess under the terms of the Court's order appointing a receiver (doc. 23), to Freddie
16 Mac.

17 4. Directing the Receiver to file a final report on or before February 21, 2011,
18 disclosing all receipts and expenditures of the Receiver and a summary of the Receiver's
19 activities at the Property.

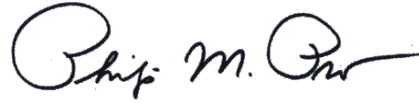
20 IT IS FURTHER ORDERED, that any party may object to the final report of the
21 Receiver on or before March 4, 2011. If no objections are filed, the Receiver's report
22 shall be approved by the Court and the Receiver's bond shall be exonerated without
23 further order of the court.

24 IT IS FURTHER ORDERED, vacating the hearing set for January 18, 2011. The
25 Court will set a hearing on any objections to the Receiver's final report, if necessary.
26

27

28 ¹ Collectively, the Charleston Parcels and the Torrey Pines Parcels are referred to as the "Property."

1
2 DATED this _ 14th day of January, 2011.

3
4 

5 Philip M. Pro
6 United States District Court Judge
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28